

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65150 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- FATUA District- Patna

MILAN KUMAR S/o Late Chhati Yadav R/o Station Road Mirzapur nohta,
P.S.- Fatuha, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-03-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

informant.

The petitioner apprehends his arrest in Fatuah P.S.

Case No. 137 of 2021 registered for the offences punishable

under Section 364A of the Indian Penal Code pending in the

Court of learned A.C.J.M., 1st, Patna City.

As per prosecution case, the informant alleged that

some persons had kidnapped her husband and demanding

ransom.

Learned counsel for the petitioner has submitted

that the petitioner has falsely been implicated in this case. He

submits that the petitioner is not named in the FIR, during the

course of investigation one co-accused, who was arrested, made



a confession regarding the present case showing the involvement of the petitioner. He submits that the statement of the victim under Section 164 of the Cr.P.C., in which he has stated that four persons have kidnapped him and they are called the name of Milan (petitioner). He further submits that there is no criminal antecedent against the petitioner as mentioned in para 3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that specific overt act has been attributed against the petitioner. Hence, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the statement of the victim under Section 164 of the Cr.P.C., I am not inclined to enlarge the petitioner on anticipatory bail in connection with Fatuah P.S. Case No. 137 of 2021. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

